

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

COOLMATH.COM, LLC and

Plaintiff,

-v-

COOLMATHGAMES.COM,
MICHAEL GARGIULO and
JOHN DOE

Defendants.

Civil Action No. 14-cv-04291

COMPLAINT

Plaintiff, Coolmath.com, for its complaint, hereby alleges as follows:

PARTIES

1. Plaintiff, Coolmath.com, LLC is a limited liability corporation organized under the laws of the state of California, with offices located at 200 Park Avenue South, Suite 1508 New York, NY 10003.

2. Upon information and belief, Defendant Coolmathgames.com is a d.b.a. of Defendants Michael Gargiulo and John Doe.

3. Upon information and belief, Defendant Michael Gargiulo is an individual residing at 1326 Tree Lane, Snellville, GA 30078.

4. As the evidence may show, Defendant John Doe is an individual current and/or former owner, officer, employee, contractor, or agent of Coolmathgames.com, who directed or participated in or directed or authorized the acts and omissions described in this Complaint with knowledge of the infringing nature of his activities. The identities and addresses of these specific persons are currently unknown. However, once identified in discovery, this person will be

substituted for John Doe.

JURISDICTION AND VENUE

5. Jurisdiction. This action arises under the Lanham Act 15 U.S.C. § 1051 et. seq. and the laws of the state of New York. Jurisdiction of the federal claim is conferred upon this court by 28 U.S.C. §§ 1332 and 1338. Jurisdiction of the state claims is conferred upon this court by 28 U.S.C. § 1367.

6. Upon information and belief, the conduct of Defendants complained of herein has occurred in various locales, including in this judicial district.

7. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b) as it is the location of a substantial part of the events or omissions giving rise to the asserted claims.

BACKGROUND

8. Federal Trademark Registration No. 3,404,699 for the mark “COOLMATH” (the COOLMATH Registration”) in international class 041 for Computer services, namely, providing on-line website in the field of mathematics and science education; entertainment services, namely, providing on-line computer games in the field of mathematics and science education, was duly and lawfully issued on April 1, 2008 based on a first use date of November 14, 1997 and a first use date in commerce of November 14, 1997 to Coolmath.com, Inc. A copy of the COOLMATH registration is attached hereto as Exhibit A.

9. On February 4, 2014 Coolmath.com LLC filed a combined declaration of use and incontestability under Sections 8 & 15. Copy attached hereto as Exhibit B. On March 17, 2014 the COOLMATH mark received an acknowledgement of incontestability. Copy attached hereto as Exhibit C.

10. On October 4, 2013 Coolmath.com, Inc. converted from a California corporation

to a California limited liability company, Coolmath.com LLC. Copy attached hereto as Exhibit D. A copy of the Articles of Incorporation - conversion was recorded at the U.S. Patent and Trademark Office on November 19, 2013 at reel/frame 5157/0699. Copy attached hereto as Exhibit E.

11. Coolmath.com LLC has been using the trademark COOLMATH-GAMES in commerce since at least May 28, 2004. Coolmath.com LLC has filed application Serial No. 86/305,888 for federal registration of the mark COOLMATH-GAMES (the “COOLMATH-GAMES Application”) in international class 041 for Computer services, namely, providing on-line website in the field of mathematics and science education; entertainment services, namely, providing on-line computer games in the field of mathematics and science education. A copy of the COOLMATH-GAMES Application is attached hereto as Exhibit F.

12. Coolmath.com LLC has been using the trademark COOLMATH4KIDS in commerce since at least April 1, 2000. Coolmath.com LLC has filed application Serial No. 86/305,882 for federal registration of the mark COOLMATH4KIDS (the “COOLMATH4KIDS Application”) in international class 041 for Computer services, namely, providing on-line website in the field of mathematics and science education; entertainment services, namely, providing on-line computer games in the field of mathematics and science education. A copy of the COOLMATH4KIDS Application is attached hereto as Exhibit G.

13. Plaintiff operates the very successful websites www.coolmath.com, www.coolmath-games.com and www.coolmath4kids.com each of which offers math and science related games. Each of the websites exclusively use the colors green, blue, yellow, red and purple on a dark background as their trade dress to give the websites a distinctive look and feel.

14. On or about February 8, 2014 Defendants, in an attempt to trade off of the success

and goodwill of Plaintiff's trademarks and trade dress, began operating the website www.coolmathgames.com which offers math and science related games. The www.coolmathgames.com website exclusively uses the colors green, blue, yellow, red and purple on a dark background in an attempt to confuse consumers into believing that Defendants are somehow associated with Plaintiff.

FIRST CLAIM FOR RELIEF
(Trademark Infringement)

15. Plaintiff repeats and incorporates by reference the allegations contained in Paragraphs 1-13 of this Complaint as if fully restated in this paragraph.

16. Defendants' use of the mark COOLMATHGAMES and the domain name COOLMATHGAMES.COM constitutes an infringement of Plaintiff's registered trademark COOLMATH and is likely to cause confusion, mistake and deception to the public as to the identity and origin of Defendants services, causing irreparable harm to Plaintiff for which there is no adequate remedy at law.

17. Defendants' use of the mark COOLMATHGAMES and the domain name COOLMATHGAMES.COM constitutes an infringement of Plaintiff's trademark COOLMATH-GAMES and is likely to cause confusion, mistake and deception to the public as to the identity and origin of Defendants services, causing irreparable harm to Plaintiffs for which there is no adequate remedy at law.

18. Defendants' use of the mark COOLMATHGAMES and the domain name COOLMATHGAMES.COM comprises an infringement of Plaintiffs' trademark COOLMATH4KIDS and is likely to cause confusion, mistake and deception to the public as to the identity and origin of Defendants services, causing irreparable harm to Plaintiffs for which there is no adequate remedy at law.

19. By reason of the foregoing acts, Defendants are liable to Plaintiffs for trademark infringement under 15 U.S.C. § 1114.

20. Upon information and belief, Defendants have engaged in the aforesaid activity knowingly and willfully, justifying assessment of punitive damages in an amount to be determined at trial.

SECOND CLAIM FOR RELIEF
(Unfair Competition)

21. Plaintiff repeats and incorporates by reference the allegations contained in Paragraphs 1-19 of this Complaint as if fully restated in this paragraph.

22. Defendants' use of the mark COOLMATHGAMES and the domain name COOLMATHGAMES.com to promote, market, or sell math and science computer game products or services in direct competition with Plaintiff's math and science based computer game products and services constitutes Unfair Competition pursuant to 15 U.S.C. §1125(a). Defendants' use of the COOLMATHGAMES mark and the domain name COOLMATHGAMES.COM is likely to cause confusion, mistake, and deception among consumers. Defendants' unfair competition has caused and will continue to cause damage to Plaintiff, and is causing irreparable harm to Plaintiff for which there is no adequate remedy at law.

23. Upon information and belief, Defendants have engaged in the aforesaid activity knowingly and willfully, justifying assessment of punitive damages in an amount to be determined at trial.

THIRD CLAIM FOR RELIEF
(False Description)

24. Plaintiff repeats and incorporates by reference the allegations contained in

Paragraphs 1-22 of this Complaint as if fully restated in this paragraph.

25. Defendants' COOLMATHGAMES mark and COOLMATHGAMES.com domain name are such colorable imitations and copies of Plaintiff's trademarks established in the market for computer based math and science games that Defendants use thereof in the context of computer based math and science games is likely to create confusion, or to cause mistake, or to deceive consumers as to the affiliation, connection or association of Plaintiff's products/services, or to deceive consumers as to the origin, sponsorship or approval of Plaintiff's products/services.

26. Plaintiff avers that Defendants' use of the term COOLMATHGAMES and COOLMATHGAMES.COM comprises a false description or representation of such business or products under 15 U.S.C. § 1125(a).

27. Defendants' false description or representation has caused and will continue to cause damage to Plaintiff, and is causing irreparable harm to Plaintiff for which there is no adequate remedy at law.

28. Upon information and belief, Defendants have engaged in the aforesaid activity knowingly and willfully, justifying assessment of punitive damages in an amount to be determined at trial.

FOURTH CLAIM FOR RELIEF
(Trade Dress Infringement)

29. Plaintiff repeats and incorporates by reference the allegations contained in Paragraphs 1-28 of this Complaint as if fully restated in this paragraph.

30. Defendants activities of creating and operating the COOLMATHEGAMES.COM website which exclusively uses the colors green, blue, yellow, red and purple on a dark background constitutes infringement of Plaintiff's Trade Dress and is likely to cause confusion, mistake, and deception among consumers. Defendants' trade dress infringement has caused and

will continue to cause damage to Plaintiff, and is causing irreparable harm to Plaintiff for which there is no adequate remedy at law.

31. Upon information and belief, Defendants have engaged in the aforesaid activity knowingly and willfully, justifying assessment of punitive damages in an amount to be determined at trial.

FIFTH CLAIM FOR RELIEF

(Violations of New York General Business Law Section 349)

32. Plaintiff repeats and incorporates by reference the allegations contained in Paragraphs 1-30 of this Complaint as if fully restated in this paragraph.

33. Defendants' acts as alleged in detail above constitute deceptive acts and practices in the conduct of business, trade, or commerce, or in the furnishing of services, in the state of New York.

34. Plaintiff has been injured by reason of such deceptive acts or practices.

35. Defendants' aforesaid violations of NY GBL § 349 have caused Plaintiff to sustain monetary damage, loss, and injury, and an amount to be determined at trial.

36. Upon information and belief, Defendants have engaged in this activity knowingly and willfully, justifying assessment of punitive damages in an amount to be determined at trial.

37. Defendants' aforesaid violations of NY GBL § 349, unless enjoined by this Court, will cause Plaintiff to continue sustaining damages.

PRAYER FOR RELIEF

WHEREFOR Plaintiff requests judgment in its favor and against Defendants as follows:

1. That Defendants be preliminarily and permanently enjoined from: (a) using Plaintiffs trademarks depicted in Exhibits A, C, D, or any colorable imitation thereof; (b) using any trademark that imitates or is confusingly similar to or in any way similar to Plaintiff's

trademarks COOLMATH, COOLMATH-GAMES or COOLMATH4KIDS, or that is likely to cause confusion, mistake, deception, or public misunderstanding as to the origin of Plaintiff's products or services or its association with Defendant; and (c) using Plaintiff's trade dress;

2. That Defendants be required to file with the Court and serve on Plaintiff within thirty (30) days after entry of the Injunction, a report in writing under oath setting forth in detail the manner and form in which Defendant has complied with the Injunction;

3. That, pursuant to 15 U.S.C. § 1117, Defendants be held liable for all damages suffered by Plaintiffs resulting from the acts alleged herein;

4. That the Court require Defendants to assign ownership to the Domain name coolmathgames.com to Plaintiff;

5. That the Court declare this to be an exceptional case and award Plaintiff its full costs and reasonable attorneys' fees pursuant to 15 U.S.C. § 1117;

6. That the Court grant Plaintiff any other remedy to which it may be entitled as provided for in 15 U.S.C. §§ 1116 and 1117 or under state law;

7. That the Court award Plaintiff punitive damages to the extent permitted by law; and

8. For such other and further relief that the court deems just and proper.

Dated: June 13, 2014

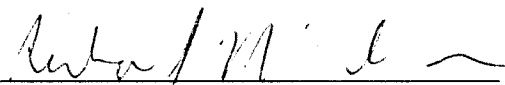
By: 
Richard M. Lehrer, Esq.
FISHERBROYLES, LLC
1 Prior Court
Palisades, NY 10964
845-519-9525 (T)
rlehrer@fisherbroyles.com

EXHIBIT A

Int. Cls.: 16 and 41

Prior U.S. Cls.: 2, 5, 22, 23, 29, 37, 38, 50, 100, 101 and 107

Reg. No. 3,404,699

United States Patent and Trademark Office

Registered Apr. 1, 2008

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

COOLMATH

COOLMATH.COM, INC. (CALIFORNIA CORPORATION)
2973 FAIRVIEW ROAD
COSTA MESA, CA 92626

FOR: A SERIES OF BOOKS IN THE FIELD OF MATHEMATICS EDUCATION, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 6-30-2002; IN COMMERCE 6-30-2002.

FOR: COMPUTER SERVICES, NAMELY, PROVIDING ON-LINE WEBSITE IN THE FIELD OF MATHEMATICS AND SCIENCE EDUCATION; ENTERTAINMENT SERVICES, NAMELY, PROVIDING

ON-LINE COMPUTER GAMES IN THE FIELD OF MATHEMATICS AND SCIENCE EDUCATION, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 11-14-1997; IN COMMERCE 11-14-1997.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 77-220,347, FILED 7-2-2007.

JANET LEE, EXAMINING ATTORNEY

EXHIBIT B

FILED: 06/13/14
 DISTRICT COURT OF APPEALS

Combined Declaration of Use and Incontestability under Sections 8 & 15

The table below presents the data as entered.



REGISTRATION NUMBER	3404699
REGISTRATION DATE	04/01/2008
SERIAL NUMBER	77220347
MARK SECTION	
MARK	COOLMATH
ATTORNEY SECTION (current)	
NAME	Alexander J.A. Garcia
FIRM NAME	Perkins Coie LLP
STREET	1201 Third Avenue, Suite 4900
CITY	Seattle
STATE	Washington
POSTAL CODE	98101
COUNTRY	United States
PHONE	206-359-8000
FAX	206-359-9000
EMAIL	pctrademarks@perkinscoie.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL	Yes
DOCKET/REFERENCE NUMBER	111734.4000.
ATTORNEY SECTION (proposed)	
NAME	Alexander J.A. Garcia
FIRM NAME	

FIRM NAME Perkins Coie LLP
STREET 1201 Third Avenue, Suite 4900
CITY Seattle
STATE Washington
POSTAL CODE 98101
COUNTRY United States
PHONE 206-359-8000
FAX 206-359-9000
EMAIL pctrademarks@perkinscoie.com

**AUTHORIZED TO
 COMMUNICATE VIA
 E-MAIL** Yes

**DOCKET/REFERENCE
 NUMBER** 111734.4000.0002.US001

**OTHER APPOINTED
 ATTORNEY** Kathleen J. Buckley, Caroline Camp, David L. Cromwell, Lynne E.
 Graybeal, Patchen M. Haggerty, John P. Halski, Julianne A. Henley, Jason S.
 Howell, Jennifer L. Jolley, Elizabeth A. Kristoferson, Winfield B. Martin,
 Lisa T. Oratz, Reagan T. Roth, Heidi L. Sachs, Grace Han Stanton, James L.
 Vana and Robert G. Woolston

CORRESPONDENCE SECTION (current)

NAME Alexander J.A. Garcia
FIRM NAME Perkins Coie LLP
STREET 1201 Third Avenue, Suite 4900
CITY Seattle
STATE Washington
POSTAL CODE 98101
COUNTRY United States
PHONE 206-359-8000
FAX 206-359-9000
EMAIL pctrademarks@perkinscoie.com
**AUTHORIZED TO
 COMMUNICATE VIA
 E-MAIL** Yes
**DOCKET/REFERENCE
 NUMBER** 111734.4000.

CORRESPONDENCE SECTION (proposed)

NAME Alexander J.A. Garcia
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EMAIL pctrademarks@perkinscoie.com
AUTHORIZED TO COMMUNICATE VIA E-MAIL Yes
DOCKET/REFERENCE NUMBER 111734.4000.0002.US001

GOODS AND/OR SERVICES SECTION

INTERNATIONAL CLASS 016
GOODS OR SERVICES DELETE ENTIRE CLASS

INTERNATIONAL CLASS 041

GOODS OR SERVICES Computer services, namely, providing on-line website in the field of mathematics and science education; entertainment services, namely, providing on-line computer games in the field of mathematics and science education

SPECIMEN FILE NAME(S)

ORIGINAL PDF FILE SPN1-66192178162-165841620 . 2.18.14 Cool Math Specimen 1.pdf

CONVERTED PDF FILE(S) \\TICRS\EXPORT16\IMAGEOUT16\772\203\77220347\xml4\8150002.JPG
(2 pages)

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ORIGINAL PDF FILE SPN1-66192178162-165841620 . 2.18.14 Cool math .com Specimen 2.pdf

CONVERTED PDF FILE(S) \\TICRS\EXPORT16\IMAGEOUT16\772\203\77220347\xml4\8150004.JPG
(2 pages)

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SPECIMEN DESCRIPTION screen shots from Registrant's website showing use of its mark with the services

OWNER SECTION (current)

NAME Coolmath.com, Inc.
STREET 19744 Beach Blvd., Ste. 302
CITY Huntington Beach
STATE California
ZIP/POSTAL CODE 92648
COUNTRY United States

OWNER SECTION (proposed)

NAME Coolmath.com LLC
STREET 200 Park Avenue South, Suite 1508
CITY New York
STATE New York
ZIP/POSTAL CODE 10003
COUNTRY United States

LEGAL ENTITY SECTION (current)

TYPE corporation
STATE/COUNTRY OF INCORPORATION California

LEGAL ENTITY SECTION (proposed)

TYPE limited liability company

PAYMENT SECTION

NUMBER OF CLASSES 2
NUMBER OF CLASSES PAID 1
SUBTOTAL AMOUNT 300
TOTAL FEE PAID 300

SIGNATURE SECTION

SIGNATURE /Gregory Barlow/
SIGNATORY'S NAME Gregory Barlow

**SIGNATORY'S
POSITION** President

DATE SIGNED 02/22/2014

**SIGNATORY'S PHONE
NUMBER** N/A

PAYMENT METHOD CC

FILING INFORMATION

SUBMIT DATE Mon Feb 24 14:06:11 EST 2014

TEAS STAMP USPTO/S08N15-66.192.178.1
62-20140224140611282727-3
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33-20140221121143337752

**Combined Declaration of Use and Incontestability under Sections 8 & 15
To the Commissioner for Trademarks:**

REGISTRATION NUMBER: 3404699

REGISTRATION DATE: 04/01/2008

MARK: COOLMATH

The owner, Coolmath.com LLC, a limited liability company, having an address of
200 Park Avenue South, Suite 1508
New York, New York 10003
United States

is filing a Combined Declaration of Use and Incontestability under Sections 8 & 15.

For International Class 016, this filing does **not** cover this specific class. This entire class is to be permanently **deleted** from the registration.

For International Class 041, the mark is in use in commerce on or in connection with **all** of the goods or services listed in the existing registration for this specific class: Computer services, namely, providing on-line website in the field of mathematics and science education; entertainment services, namely, providing on-line computer games in the field of mathematics and science education; **and** the mark has been continuously used in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce on or in connection with **all** goods or services listed in the existing registration for this class. Also, no final decision adverse to the owner's claim of ownership of such mark for those goods or services exists, or to the owner's right to register the same or to keep the same on the register; and, no proceeding involving said rights pending and not disposed of in either the U.S. Patent and Trademark Office or the courts exists.

The owner is submitting one specimen for this class showing the mark as used in commerce on or in connection with any item in this class, consisting of a(n) screen shots from Registrant's website showing use of its mark with the services.

Original PDF file:

SPN1-66192178162-165841620 . 2.18.14 Cool Math Specimen 1.pdf

Converted PDF file(s) (2 pages)

Specimen File1

Specimen File2

Original PDF file:

SPN1-66192178162-165841620 . 2.18.14 Cool math .com Specimen 2.pdf

Converted PDF file(s) (2 pages)

Specimen File1

Specimen File2

The registrant's current Attorney Information: Alexander J.A. Garcia of Perkins Coie LLP
1201 Third Avenue, Suite 4900

Seattle, Washington (WA) 98101
United States

The docket/reference number is 111734.4000..

The registrant's proposed Attorney Information: Alexander J.A. Garcia of Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, Washington (WA) 98101
United States

The docket/reference number is 111734.4000.0002.US001.

The Other Appointed Attorney(s): Kathleen J. Buckley, Caroline Camp, David L. Cromwell, Lynne E. Graybeal, Patchen M. Haggerty, John P. Halski, Julianne A. Henley, Jason S. Howell, Jennifer L. Jolley, Elizabeth A. Kristoferson, Winfield B. Martin, Lisa T. Oratz, Reagan T. Roth, Heidi L. Sachs, Grace Han Stanton, James L. Vana and Robert G. Woolston.

The phone number is 206-359-8000.

The fax number is 206-359-9000.

The email address is pctrademarks@perkinscoie.com.

The registrant's current Correspondence Information: Alexander J.A. Garcia of Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, Washington (WA) 98101
United States

The docket/reference number is 111734.4000..

The registrant's proposed Correspondence Information: Alexander J.A. Garcia of Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, Washington (WA) 98101
United States

The docket/reference number is 111734.4000.0002.US001.

The phone number is 206-359-8000.

The fax number is 206-359-9000.

The email address is pctrademarks@perkinscoie.com.

A fee payment in the amount of \$300 will be submitted with the form, representing payment for 1 class(es), plus any additional grace period fee, if necessary.

Declaration

The mark is in use in commerce on or in connection with the goods and/or services identified above, as evidenced by the attached specimen(s) showing the mark as used in commerce. The mark has been in continuous use in commerce for five (5) consecutive years after the date of registration, or the date of publication under Section 12(c), and is still in use in commerce. There has been no final decision adverse to the owner's claim of ownership of such mark, or to the owner's right to register the same or to keep the same on the register; and there is no proceeding involving said rights pending and not disposed of either

in the U.S. Patent and Trademark Office or in the courts.

The undersigned being hereby warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of this document, declares that he/she is properly authorized to execute this document on behalf of the Owner; and all statements made of his/her own knowledge are true and that all statements made on information and belief are believed to be true.

Signature: /Gregory Barlow/ Date: 02/22/2014

Signatory's Name: Gregory Barlow

Signatory's Position: President

Signatory's Phone Number: N/A

Mailing Address (current):

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, Washington 98101

Mailing Address (proposed):

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, Washington 98101

Serial Number: 77220347

Internet Transmission Date: Mon Feb 24 14:06:11 EST 2014

TEAS Stamp: USPTO/S08N15-66.192.178.162-201402241406

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Cool Math - free online cool math lessons, cool math games & apps, fun math activities, pre-algebra, algebra, pre-calculus




IT'S QUICK, IT'S EASY, AND IT'S FREE **START NOW**

An amusement park of math and more... Lessons and games designed for fun!

Bored with math? Confused by math? Hate math? Yeah, Coolmath can fix that.
Totally dig math? Want to learn more math? Want to get ahead in math? Want to play some cool math games?
Yep, Coolmath is here for that too!

:::: Scroll down to see a complete listing of the entire Coolmath network of lesson and game sites. ::::

MATH FOR AGES 13-100

- prealgebra
- algebra
- precalc/calc
- math survival
- puzzles
- geometry art
- books
- other stuff

Go USA!



COOLMATH HIGHLIGHTS

- math 4 kids
- math games
- teachers
- parents
- Spikes games
- Finance Freak
- Totally Stressed Out
- Science Monster

FIND IT FAST! →

math lessons

math practice

math dictionary

geometry/trig reference


Featured Cool Math Games:



Number Monster
Practice your arithmetic skills in this math game: addition, subtraction, multiplication, division, decimals and long division!




Papa's Pastaria
Time to run a Pastaria. Use counting and time management to keep your customers happy and make big tips!



Coffee Shop
A great business math game where you run your own coffee shop.



The Timernator
This timed math game lets you race against the clock while you practice your addition, subtraction, multiplication and division!



Feed Fribbit Series
Feed Fribbit colors in our first version of this popular game. Other Fribbit games are for addition and subtraction.



Crazy Taxi M12
You need to know your times tables and multiples FAST for this cool math game.



Fraction Splat
Click on the right kind of fraction in this math game and make it so SPLAT!



Fractone
A fun math game where you click on pairs of fractions that add up to 1.



Math Lines xFactor
Practice your multiplication and shooting in this action math game.



Subtraction Blast
An action math game where you shoot numbers to get down to zero.

Newest Coolmath Game:

MATH LESSONS

1st grade	2nd grade
3rd grade	4th grade
5th grade	6th grade
7th grade	8th grade
9th grade	10th grade
11th grade	12th grade

MATH LESSONS

1st grade	2nd grade
3rd grade	4th grade
5th grade	6th grade
7th grade	8th grade
9th grade	10th grade
11th grade	12th grade

Now, Coolmath isn't just MATH!

Besides our Math games, we now have...

Reading and Spelling Games

and

Geography Games

Woo hoo!

Cool Math - free online cool math lessons - cool math games - cool math calculator - cool math activities - cool math worksheets - cool math projects

**Colorful Penguins**

These penguins are not black and white! Help them regain their real color by cutting through ropes and ice.

More games =
More learning!

The Coolmath Network of Websites:

This is my first math site and is designed for ages 13-100. The level of math is from fractions up (pre-algebra and up). It's not just math lessons, it's cool stuff like fractals too. Just navigate with the menu on the left (above).

Coolmath4kids.com - Go now!

This site is designed for kids ages 3 through 12... Really, up until they get to pre-algebra stuff (up through fractions). Then, they graduate to Coolmath.com. This site has math lessons and math games to make learning fun. About Cool Math 4 Kids at Coolmath4kids.com

Go now!

This site is loaded with cool thinking games, math games, preschool games and jigsaw puzzles and is great for kids of ALL ages. We now have Reading and Spelling games, Geography games and Science games! Lots of grown-ups are spending their lunch hours here too!

CoolifiedGames.com - Go now!

Our newest game site, full of kid safe, family friendly games in the categories of action/sports, adventure, car/racing, arcade and more!

(Classroom students: Be sure to have your teacher's permission before playing Coolified Games.)

FinanceFREAK.com - Go now!

I made this site for my students. It explains how money really works and the math of money - personal finance lessons. It cuts through all the confusion and is designed for teens and grown-ups.

Go now!

I made this one for my students too! It's so easy for students (and other humans) to get stressed out in life. Hopefully, this will really help! It's designed for teens and grown-ups. There's a large gallery of my photography there too!

SpikesGameZone.com - Go now!

There's nothing "educational" about these games... They are just for family fun!

(Classroom students: Be sure to have your teacher's permission before playing Spike's games.)

Cool math's Science Lessons - Go now!

Want to learn about our Solar System and some other cool science things? Then, this is the site for you. This site has great potential, but has been a bit neglected over the years. I'll be adding some new lessons soon!

about
Coolmath

about the
author

*"Mathematics is the
alphabet with which God
has written the universe."*

-- Galileo Galilei



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The Coolmath Network's PRIVACY POLICY

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|| [free online brain puzzles and space puzzles](#) || [other math stuff](#) ||


|| [cool math lessons](#) || [fractals](#) || [cool math games & practice problems](#) || [cool math 4 kids lessons and puzzles](#) || [cool math paper worksheets](#) ||
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|| [cool math games 4 times tables](#) || [cool math games 4 addition](#) || [cool math games 4 fractions](#) ||

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Coolmath.com - Math Help - math lessons to help with arithmetic, fractions, decimals, long division and algebra



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[Science Monster](#)


[other stuff](#)

Coolmath's Math Lessons & Help Area

Math lessons to help with everything from Addition through Algebra and more

Remember that you can look up a quick definition at my [math dictionary](#) and find formulas in my [geometry / trigonometry reference area](#)!

	Arithmetic Lessons (These are over at Coolmath4kids.com) Addition, subtraction, times tables, multiplication, division, and long division														
	Pre-Algebra Lessons Fractions, decimals, percents, signed numbers (integers) and more until you hit Algebra stuff!														
	Algebra Lessons I've got just about everything here from Algebra 1 (Beginning Algebra) up through Precalculus level Algebra														
	Precalculus Review / Calculus Preview This is the precalculus math you really need to know to survive Calculus 1. It's also great to study for your precalc final.														
	Other Fun Lessons <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 5%; text-align: center; vertical-align: top;">  </td> <td style="padding: 5px;"> Tessellations - See some very cool things you can make with shapes </td> </tr> <tr> <td style="text-align: center; vertical-align: top;">  </td> <td style="padding: 5px;"> How to Find the Interior Angles of Polygons - Help with figuring out the interior angles of polygons. </td> </tr> <tr> <td style="text-align: center; vertical-align: top;">  </td> <td style="padding: 5px;"> The Pythagorean Identities - Help with understanding where the Pythagorean Identities come from. </td> </tr> <tr> <td style="text-align: center; vertical-align: top;">  </td> <td style="padding: 5px;"> Damping Functions - Help with understanding how damping functions work and how they are used in the real world. </td> </tr> <tr> <td style="text-align: center; vertical-align: top;">  </td> <td style="padding: 5px;"> The Geometry of Crop Circles - Learn how crop circles are made and how you can make your own. </td> </tr> <tr> <td style="text-align: center; vertical-align: top;">  </td> <td style="padding: 5px;"> What's a Fractal? - A lesson on how fractals are made with computers and algebra. </td> </tr> <tr> <td style="text-align: center; vertical-align: top;">  </td> <td style="padding: 5px;"> What's a Limit? - A very clear lesson that will help you understand the concept of a limit in Calculus. </td> </tr> </table>		Tessellations - See some very cool things you can make with shapes		How to Find the Interior Angles of Polygons - Help with figuring out the interior angles of polygons.		The Pythagorean Identities - Help with understanding where the Pythagorean Identities come from.		Damping Functions - Help with understanding how damping functions work and how they are used in the real world.		The Geometry of Crop Circles - Learn how crop circles are made and how you can make your own.		What's a Fractal? - A lesson on how fractals are made with computers and algebra.		What's a Limit? - A very clear lesson that will help you understand the concept of a limit in Calculus.
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	What's a Limit? - A very clear lesson that will help you understand the concept of a limit in Calculus.														



[Colorful Penguins](#)
[Indie Cannon Players Pack](#)
[Nutty Boom](#)
[Orb 3](#)
[Release the Mooks 3](#)
[Cargo Bridge 2](#)
[Paint World 2: Monsters](#)
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[Duck Life 2: World Champion](#)

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ROUTING SHEET TO POST REGISTRATION (PRU)**Registration Number:** 3404699**Serial Number:** 77220347**RAM Sale Number:** 3404699**RAM Accounting Date:** 20140225**Total Fees:** \$300

Note: Process in accordance with Post Registration Standard Operating Procedure (SOP)

<u>Transaction</u>	<u>Fee Code</u>	<u>Transaction Date</u>	<u>Fee per Class</u>	<u>Number of Classes</u>	<u>Number of Classes Paid</u>	<u>Total Fee</u>
§8 affidavit	7205	20140224	\$100	2	1	\$100
§15 affidavit	7208	20140224	\$200	2	1	\$200

Physical Location: - UNKNOWN

Lost Case Flag: False

In TICRS (AM-FLG-IN-TICRS): True

Transaction Date: 20140224

EXHIBIT C

From: TMOfficialNotices@USPTO.GOV
Sent: Monday, March 17, 2014 11:01 PM
To: pctrademarks@perkinscoie.com
Subject: Official USPTO Notice of Acceptance/Acknowledgement Sections 8 and 15: U.S. Trademark RN 3404699: COOLMATH: Docket/Reference No. 111734.4000.

Serial Number: 77220347
Registration Number: 3404699
Registration Date: Apr 1, 2008
Mark: COOLMATH
Owner: Coolmath.com LLC

Mar 17, 2014

NOTICE OF ACCEPTANCE UNDER SECTION 8

The declaration of use or excusable nonuse filed for the above-identified registration meets the requirements of Section 8 of the Trademark Act, 15 U.S.C. §1058. **The Section 8 declaration is accepted.**

NOTICE OF ACKNOWLEDGEMENT UNDER SECTION 15

The declaration of incontestability filed for the above-identified registration meets the requirements of Section 15 of the Trademark Act, 15 U.S.C. §1065. **The Section 15 declaration is acknowledged.**

The registration will remain in force for the class(es) listed below for the remainder of the ten-year period, calculated from the registration date, unless canceled by an order of the Commissioner for Trademarks or a Federal Court.

Class(es):
041

COPELAND, VICKY LEN
TRADEMARK SPECIALIST
POST-REGISTRATION DIVISION
571-272-9500

REQUIREMENTS FOR MAINTAINING REGISTRATION

WARNING: Your registration will be canceled if you do not file the documents below during the specified time periods.

Requirements in the First Ten Years

What and When to File: You must file a declaration of use (or excusable nonuse) and an application for renewal between the 9th and 10th years after the registration date. See 15 U.S.C. §§1058, 1059.

Requirements in Successive Ten-Year Periods

What and When to File: You must file a declaration of use (or excusable nonuse) and an application for renewal between every 9th and 10th-year period, calculated from the registration date. See 15 U.S.C. §§1058, 1059.

Grace Period Filings

The above documents will be considered as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

*****The USPTO WILL NOT SEND ANY FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS. THE REGISTRANT SHOULD CONTACT THE USPTO ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.*****

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=77220347>.

NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.

EXHIBIT D

01203439

201327710250



State of California

Secretary of State

2228647 out

Limited Liability Company

Articles of Organization - Conversion

LLC-1A

File #

FILED *do*
 Secretary of State *Dy*
 State of California

OCT 04 2013

IMPORTANT — Read all instructions before completing this form.

This Space For Filing Use Only

Converted Entity Information

1. Name of Limited Liability Company (End the name with the words "Limited Liability Company," or the abbreviations "LLC" or "L.L.C." The words "Limited" and "Company" may be abbreviated to "Ltd." and "Co.," respectively.)

Coolmath.com LLC

2. The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the Beverly-Killea Limited Liability Company Act.

3. The limited liability company will be managed by (check only one):



One Manager



More Than One Manager



All Limited Liability Company Member(s)

4. Initial Street Address of Limited Liability Company City State Zip Code
 5000 Campus Drive Newport Beach CA 92660

5. Initial Mailing Address of Limited Liability Company, if different from Item 4 City State Zip Code
 19744 Beach Blvd., Suite 302 Huntington Beach CA 92660

6. Name of Initial Agent For Service of Process (Item 6: -Enter the name of the agent for service of process. The agent may be an individual residing in California or a corporation that has filed a certificate pursuant to California Corporations Code section 1505. Item 7: If the agent is an individual, enter the agent's business or residential street address in CA. Do not list the address if the agent is a corporation. Item 8: If the converting entity is a CA limited partnership, enter the mailing address of the agent, if different from Item 7, or if the agent is a corporation.)

John Stillman, Esq.

7. If an individual, Street Address of Agent for Service of Process in CA City State Zip Code
 5000 Campus Drive Newport Beach CA 92660

8. Mailing Address of Agent for Service of Process City State Zip Code

Converting Entity Information

9. Name of Converting Entity

Coolmath.com, Inc.

10. Form of Entity

Corporation

11. Jurisdiction

California

12. CA Secretary of State File Number, if any

2228647

13. The principal terms of the plan of conversion were approved by a vote of the number of interests or shares of each class that equaled or exceeded the vote required. If a vote was required, provide the following for each class:

The class and number of outstanding interests entitled to vote.

AND

The percentage vote required of each class.

7,500 Shares of common stock

100%

Additional Information

14. Additional information set forth on the attached pages, if any, is incorporated herein by this reference and made part of this certificate.

15. I certify under penalty of perjury that the contents of this document are true. I declare I am the person who executed this instrument, which execution is my act and deed.

Signature of Authorized Person

Karen L. Davis, President

Type or Print Name and Title of Authorized Person

Signature of Authorized Person

Philip C. Markley, Secretary

Type or Print Name and Title of Authorized Person



I hereby certify that the foregoing transcript of 1 page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.

OCT 07 2013

Date: _____

Debra Bowen
DEBRA BOWEN, Secretary of State

EXHIBIT E

900272392 11/19/2013**TRADEMARK ASSIGNMENT**Electronic Version v1.1
Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	Conversion to Limited Liability Company		
CONVEYING PARTY DATA			
Name	Formerly	Execution Date	Entity Type
Coolmath.com, Inc.		10/04/2013	CORPORATION: CALIFORNIA
RECEIVING PARTY DATA			
Name:	Coolmath.com LLC		
Street Address:	19744 Beach Boulevard, Suite 302		
City:	Huntington Beach		
State/Country:	CALIFORNIA		
Postal Code:	92648		
Entity Type:	LIMITED LIABILITY COMPANY: CALIFORNIA		
PROPERTY NUMBERS Total: 14			
Property Type	Number	Word Mark	
Serial Number:	77328649	ALGEBRA CRUNCHERS	
Serial Number:	85378369	B-CUBED	
Serial Number:	85378360	B-CUBED	
Serial Number:	85620987	COOLIFIED	
Serial Number:	85618725	COOLIFIED	
Serial Number:	85621003	COOLIFIED GAMES	
Serial Number:	85618755	COOLIFIED GAMES	
Serial Number:	77220347	COOLMATH	
Serial Number:	77222917	FINANCE FREAK	
Serial Number:	85378379	SNORZEES	
Serial Number:	85379912	SNORZEES LITE	
Serial Number:	76032388	THE NUMBER MONSTER	
Serial Number:	77328673	THE TIMERNATOR	
Serial Number:	77328661	YARDSTICK ARITHMETIC	

OP \$365.00 77328649

900272392**TRADEMARK**
REEL: 005157 FRAME: 0699

CORRESPONDENCE DATA

Fax Number: 2063599000

Correspondence will be sent to the e-mail address first; if that is unsuccessful, it will be sent via US Mail.

Phone: 206-359-8000

Email: pctrademarks@perkinscoie.com

Correspondent Name: Alexander J.A. Garcia / Perkins Coie LLP

Address Line 1: 1201 Third Avenue, Suite 4900

Address Line 4: Seattle, WASHINGTON 98101

ATTORNEY DOCKET NUMBER:

111734.4000.0000.GX71

NAME OF SUBMITTER:

Alexander Garcia of Perkins Coie LLP

Signature:

/Alexander Garcia/

Date:

11/19/2013

Total Attachments: 2

source=EXECUTION VERSION - Coolmath com LLC - Filed Articles of Organization - #page1.tif

source=EXECUTION VERSION - Coolmath com LLC - Filed Articles of Organization - #page2.tif

D1203439

201327710250



State of California

Secretary of State

2228647 out

Limited Liability Company

Articles of Organization - Conversion

LLC-1A

File #

FILED *do*
Secretary of State *dy*
State of California

OCT 04 2013

IMPORTANT — Read all instructions before completing this form.

This Space For Filing Use Only

Converted Entity Information

1. Name of Limited Liability Company (End the name with the words "Limited Liability Company," or the abbreviations "LLC" or "L.L.C." The words "Limited" and "Company" may be abbreviated to "Ltd." and "Co.," respectively.)

Coolmath.com LLC

2. The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the Beverly-Killea Limited Liability Company Act.

3. The limited liability company will be managed by (check only one):



One Manager



More Than One Manager



All Limited Liability Company Member(s)

4. Initial Street Address of Limited Liability Company City State Zip Code
 5000 Campus Drive Newport Beach CA 92660

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6. Name of Initial Agent For Service of Process (Item 6: Enter the name of the agent for service of process. The agent may be an individual residing in California or a corporation that has filed a certificate pursuant to California Corporations Code section 1505. Item 7: If the agent is an individual, enter the agent's business or residential street address in CA. Do not list the address if the agent is a corporation. Item 8: If the converting entity is a CA limited partnership, enter the mailing address of the agent, if different from Item 7, or if the agent is a corporation.)

John Stillman, Esq.

7. If an individual, Street Address of Agent for Service of Process in CA City State Zip Code
 5000 Campus Drive Newport Beach CA 92660

8. Mailing Address of Agent for Service of Process City State Zip Code

Converting Entity Information

9. Name of Converting Entity

Coolmath.com, Inc.

10. Form of Entity

Corporation

11. Jurisdiction

California

12. CA Secretary of State File Number, if any

2228647

13. The principal terms of the plan of conversion were approved by a vote of the number of interests or shares of each class that equaled or exceeded the vote required. If a vote was required, provide the following for each class:

The class and number of outstanding interests entitled to vote

AND

The percentage vote required of each class

7,500 Shares of common stock

100%

Additional Information

14. Additional information set forth on the attached pages, if any, is incorporated herein by this reference and made part of this certificate.

15. I certify under penalty of perjury that the contents of this document are true. I declare I am the person who executed this instrument, which execution is my act and deed.

Signature of Authorized Person

Karen L. Davis, President

Type or Print Name and Title of Authorized Person

Signature of Authorized Person

Philip C. Markley, Secretary

Type or Print Name and Title of Authorized Person



I hereby certify that the foregoing transcript of 1 page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.

OCT 07 2013

Date: _____

Debra Bowen

DEBRA BOWEN, Secretary of State

RECORDED: 11/19/2013

TRADEMARK
REEL: 005157 FRAME: 0702

EXHIBIT F

From: TEAS@uspto.gov [mailto:TEAS@uspto.gov]

Sent: Tuesday, June 10, 2014 6:48 PM

To: Rachel Huffstetler

Subject: 4086.T002U1 Serial number 86305888: Received Your Trademark/Service Mark Application, Principal Register

1. **YOUR MARK:** Coolmath-Games (Standard Characters, mark.jpg)
The literal element of the mark consists of Coolmath-Games.
The mark consists of standard characters, without claim to any particular font, style, size, or color.
2. **YOUR SERIAL NUMBER:** We have received your U.S. Trademark Application and assigned serial number '86305888' to your submission. A summary of your application data is provided at the bottom of this message and serves as your official filing receipt. Please keep a copy of this information for your records. All correspondence concerning the application should reference your assigned serial number.
Please read all of the important information below. Not every mark is registrable with the USPTO and we do not refund the application filing fee(s) if a registration does not ultimately issue.
3. **RECEIVING E-MAIL COMMUNICATIONS/FILING DOCUMENTS ON-LINE:** If you have authorized receipt of correspondence by e-mail, please make sure that your server will accept USPTO e-mail and not treat it as SPAM. If you have not authorized communication by e-mail, please do so at any time by using the "Change of Correspondence Address" form, available at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>. If you must submit correspondence to us, please use the Trademark Electronic Application System (TEAS) forms, available at <http://www.uspto.gov/trademarks/teas/index.jsp>.
4. **KEEP YOUR ADDRESS CURRENT IN USPTO RECORDS:** We do not extend filing deadlines due to a failure to receive USPTO mailings/e-mailings. You must update the correspondence and/or owner's address if a postal address and/or e-mail address changes, using the form(s) available at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.
5. **WARNING ABOUT UNSOLICITED COMMUNICATIONS:** You may receive trademark-related communications from private companies not associated with the USPTO. These communications frequently display customer-specific information, including your USPTO serial number or registration number and owner name, and request fees for trademark-related services, such as monitoring, listings in international publications, and document filing. None of the companies offering these services are affiliated with the USPTO or any other federal agency. All official correspondence will be from the "United States Patent and Trademark Office" in Alexandria, VA, and if by e-mail, specifically from the domain "@uspto.gov." Please consult the 'Warning' page on the Trademarks section of the USPTO's website for further information about unsolicited communications and to view representative examples of them. For general information on filing and maintenance requirements for trademark applications and registrations, including fees required by law, please consult www.uspto.gov, contact the TrademarkAssistanceCenter@uspto.gov or telephone 1-800-786-9199.

6. **LEGAL EXAMINATION PROCESS:** Your application is now pending examination. In approximately 3 months, your application will be assigned to a USPTO examining attorney for review. The application cannot mature into a registration unless all legal requirements are met, and many applications never satisfy these requirements and therefore never register. The overall process can take up to 18 months.
7. **CHECK STATUS AND REVIEW DOCUMENTS OR YOUR APPLICATION MAY BE UNINTENTIONALLY ABANDONED:** You must check the status and review all documents associated with your application at least every 3-4 months using Trademark Status and Document Retrieval (TSDR), available at <http://tsdr.uspto.gov/>. Promptly e-mail the TrademarkAssistanceCenter@uspto.gov or telephone 1-800-786-9199 (select option #1) if an Office action (letter from the USPTO) or notice has issued for your application that you did not receive or do not understand. Failure to respond timely to any Office action or notice may result in the abandonment of your application, requiring you to pay an additional fee to have your application revived even if you did not receive the Office action or notice.
8. **FILING ERRORS:** If you discover an error in the application data, you must file a Voluntary Amendment at <http://www.uspto.gov/trademarks/teas/miscellaneous.jsp>. Do not submit any proposed amendment to TEAS@uspto.gov, because the TEAS technical support team may not make any data changes. Please wait approximately 7 days after the filing date of your application to submit a Voluntary Amendment in order to allow for initial upload of your application data into the USPTO database. The assigned examining attorney will determine the acceptability of any Voluntary Amendment during examination. Not all errors may be corrected. For example, if you submitted the wrong mark or if the proposed correction would be considered a material alteration to your original filing, it will not be accepted. In this situation, your only recourse would be to file a new application, with a new fee and no refund of your original filing fee.
9. **REQUEST FOR REFUND AND/OR CANCELLATION:** Since your application has already been assigned a serial number, please do not contact TEAS@uspto.gov to request a refund or to cancel the filing. We will only cancel the filing and refund the filing fee if the application does not meet minimum filing requirements. The fee is a processing fee that the USPTO does not refund, even if your mark does not proceed to registration.

In the limited situation where you inadvertently filed identical applications, one immediately after the other, because no confirmation of the first filing was received, please provide both serial numbers to the technical support team at TEAS@uspto.gov.
10. **SelectUSA:** The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic

development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit SelectUSA.gov or call +1-202-482-6800.

SUMMARY OF APPLICATION DATA FOLLOWS:

APPLICATION DATA: Trademark/Service Mark Application, Principal Register

The applicant, Coolmath.com LLC, a limited liability company legally organized under the laws of California, having an address of

Suite 1508,
200 Park Avenue South
New York, New York 10003
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 041: Computer services, namely, providing on-line website in the field of mathematics and science education; entertainment services, namely, providing on-line computer games in the field of mathematics and science education

In International Class 041, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 05/28/2004, and first used in commerce at least as early as 05/28/2004, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Images of web page.

Specimen-1 [SPE0-71593514-174055955_._spec_pg1.jpg]

Specimen-2 [SPE0-71593514-174055955_._spec_pg2.jpg]

The applicant claims ownership of U.S. Registration Number(s) 3404699.

First use anywhere and first use in commerce was by a predecessor in title to the applicant

The applicant's current Attorney Information:

Rachel Huffstetler and TJ DoVale, Jana France of FisherBroyles, LLP

Building 600, Suite 1700
1200 Abernathy Road
Atlanta, Georgia 30328
United States

The attorney docket/reference number is 4086.T002U1.

The applicant's current Correspondence Information:

Rachel Huffstetler

FisherBroyles, LLP

Building 600, Suite 1700

1200 Abernathy Road

Atlanta, Georgia 30328

404-435-3665(phone)

404-393-7058(fax)

docketing@fisherbroyles.com;rhuffstetler@fisherbroyles.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Gregory Barlow/ Date: 06/10/2014

Signatory's Name: Gregory Barlow

Signatory's Position: President

Thank you,

The TEAS support team

Tue Jun 10 18:47:57 EDT 2014

STAMP: USPTO/BAS-71.59.35.14-20140610184757737345-86305888-

5005bc5ddaab455d7c264be3d57864823e9223ea0e76f9110ee10f248e02152ce-CC-5599-
20140610184042260381

EXHIBIT G

From: TEAS@uspto.gov [mailto:TEAS@uspto.gov]

Sent: Tuesday, June 10, 2014 6:46 PM

To: Rachel Huffstetler

Subject: 4086.T001U1 Serial number 86305882: Received Your Trademark/Service Mark Application, Principal Register

1. **YOUR MARK:** Coolmath4kids (Standard Characters, mark.jpg)
The literal element of the mark consists of Coolmath4kids.
The mark consists of standard characters, without claim to any particular font, style, size, or color.
2. **YOUR SERIAL NUMBER:** We have received your U.S. Trademark Application and assigned serial number '86305882' to your submission. A summary of your application data is provided at the bottom of this message and serves as your official filing receipt. Please keep a copy of this information for your records. All correspondence concerning the application should reference your assigned serial number.
Please read all of the important information below. Not every mark is registrable with the USPTO and we do not refund the application filing fee(s) if a registration does not ultimately issue.
3. **RECEIVING E-MAIL COMMUNICATIONS/FILING DOCUMENTS ON-LINE:** If you have authorized receipt of correspondence by e-mail, please make sure that your server will accept USPTO e-mail and not treat it as SPAM. If you have not authorized communication by e-mail, please do so at any time by using the "Change of Correspondence Address" form, available at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>. If you must submit correspondence to us, please use the Trademark Electronic Application System (TEAS) forms, available at <http://www.uspto.gov/trademarks/teas/index.jsp>.
4. **KEEP YOUR ADDRESS CURRENT IN USPTO RECORDS:** We do not extend filing deadlines due to a failure to receive USPTO mailings/e-mailings. You must update the correspondence and/or owner's address if a postal address and/or e-mail address changes, using the form(s) available at <http://www.uspto.gov/trademarks/teas/correspondence.jsp>.
5. **WARNING ABOUT UNSOLICITED COMMUNICATIONS:** You may receive trademark-related communications from private companies not associated with the USPTO. These communications frequently display customer-specific information, including your USPTO serial number or registration number and owner name, and request fees for trademark-related services, such as monitoring, listings in international publications, and document filing. None of the companies offering these services are affiliated with the USPTO or any other federal agency. All official correspondence will be from the "United States Patent and Trademark Office" in Alexandria, VA, and if by e-mail, specifically from the domain "@uspto.gov." Please consult the "Warning" page on the Trademarks section of the USPTO's website for further information about unsolicited communications and to view representative examples of them. For general information on filing and maintenance requirements for trademark applications and registrations, including fees required by law, please consult www.uspto.gov, contact the TrademarkAssistanceCenter@uspto.gov or telephone 1-800-786-9199.

6. **LEGAL EXAMINATION PROCESS:** Your application is now pending examination. In approximately 3 months, your application will be assigned to a USPTO examining attorney for review. The application cannot mature into a registration unless all legal requirements are met, and many applications never satisfy these requirements and therefore never register. The overall process can take up to 18 months.
7. **CHECK STATUS AND REVIEW DOCUMENTS OR YOUR APPLICATION MAY BE UNINTENTIONALLY ABANDONED:** You must check the status and review all documents associated with your application at least every 3-4 months using Trademark Status and Document Retrieval (TSDR), available at <http://tsdr.uspto.gov/>. Promptly e-mail the TrademarkAssistanceCenter@uspto.gov or telephone 1-800-786-9199 (select option #1) if an Office action (letter from the USPTO) or notice has issued for your application that you did not receive or do not understand. Failure to respond timely to any Office action or notice may result in the abandonment of your application, requiring you to pay an additional fee to have your application revived even if you did not receive the Office action or notice.
8. **FILING ERRORS:** If you discover an error in the application data, you must file a Voluntary Amendment at <http://www.uspto.gov/trademarks/teas/miscellaneous.jsp>. Do not submit any proposed amendment to TEAS@uspto.gov, because the TEAS technical support team may not make any data changes. Please wait approximately 7 days after the filing date of your application to submit a Voluntary Amendment in order to allow for initial upload of your application data into the USPTO database. The assigned examining attorney will determine the acceptability of any Voluntary Amendment during examination. Not all errors may be corrected. For example, if you submitted the wrong mark or if the proposed correction would be considered a material alteration to your original filing, it will not be accepted. In this situation, your only recourse would be to file a new application, with a new fee and no refund of your original filing fee.
9. **REQUEST FOR REFUND AND/OR CANCELLATION:** Since your application has already been assigned a serial number, please do not contact TEAS@uspto.gov to request a refund or to cancel the filing. We will only cancel the filing and refund the filing fee if the application does not meet minimum filing requirements. The fee is a processing fee that the USPTO does not refund, even if your mark does not proceed to registration.
In the limited situation where you inadvertently filed identical applications, one immediately after the other, because no confirmation of the first filing was received, please provide both serial numbers to the technical support team at TEAS@uspto.gov.
10. **SelectUSA:** The United States represents the largest, most dynamic marketplace in the world and is an unparalleled location for business investment, innovation, and commercialization of new technologies. The U.S. offers tremendous resources and advantages for those who invest and manufacture goods here. Through SelectUSA, our nation works to promote and facilitate business investment. SelectUSA provides information assistance to the international investor community; serves as an ombudsman for existing and potential investors; advocates on behalf of U.S. cities, states, and regions competing for global investment; and counsels U.S. economic

development organizations on investment attraction best practices. To learn more about why the United States is the best country in the world to develop technology, manufacture products, deliver services, and grow your business, visit SelectUSA.gov or call +1-202-482-6800.

SUMMARY OF APPLICATION DATA FOLLOWS:

APPLICATION DATA: Trademark/Service Mark Application, Principal Register

The applicant, Coolmath.com LLC, a limited liability company legally organized under the laws of California, having an address of

Suite 1508,
200 Park Avenue South
New York, New York 10003
United States

requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended, for the following:

International Class 041: Computer services, namely, providing on-line website in the field of mathematics and science education; entertainment services, namely, providing on-line computer games in the field of mathematics and science education

In International Class 041, the mark was first used by the applicant or the applicant's related company or licensee or predecessor in interest at least as early as 04/01/2000, and first used in commerce at least as early as 04/01/2000, and is now in use in such commerce. The applicant is submitting one(or more) specimen(s) showing the mark as used in commerce on or in connection with any item in the class of listed goods and/or services, consisting of a(n) Images of web pages.

Specimen-1 [SPE0-71593514-172607011_._finalprntscrn1.jpg]

Specimen-2 [SPE0-71593514-172607011_._prntscrn2.jpg]

The applicant claims ownership of U.S. Registration Number(s) 3404699.

First use anywhere and first use in commerce was by a predecessor in title to the applicant

The applicant's current Attorney Information:

Rachel Huffstetler and TJ DoVale, Jana France of FisherBroyles, LLP

Building 600, Suite 1700
1200 Abernathy Road
Atlanta, Georgia 30328
United States

The attorney docket/reference number is 4086.T001U1.

The applicant's current Correspondence Information:

Rachel Huffstetler

FisherBroyles, LLP

Building 600, Suite 1700

1200 Abernathy Road

Atlanta, Georgia 30328

404-435-3665(phone)

404-393-7058(fax)

docketing@fisherbroyles.com;rhuffstetler@fisherbroyles.com (authorized)

A fee payment in the amount of \$325 has been submitted with the application, representing payment for 1 class(es).

Declaration

The signatory believes that: if the applicant is filing the application under 15 U.S.C. Section 1051(a), the applicant is the owner of the trademark/service mark sought to be registered; the applicant or the applicant's related company or licensee is using the mark in commerce on or in connection with the goods/services in the application, and such use by the applicant's related company or licensee inures to the benefit of the applicant; the specimen(s) shows the mark as used on or in connection with the goods/services in the application; and/or if the applicant filed an application under 15 U.S.C. Section 1051(b), Section 1126(d), and/or Section 1126(e), the applicant is entitled to use the mark in commerce; the applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the goods/services in the application. The signatory believes that to the best of the signatory's knowledge and belief, no other person has the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion or mistake, or to deceive. The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements and the like may jeopardize the validity of the application or any registration resulting therefrom, declares that all statements made of his/her own knowledge are true and all statements made on information and belief are believed to be true.

Declaration Signature

Signature: /Gregory Barlow/ Date: 06/10/2014

Signatory's Name: Gregory Barlow

Signatory's Position: President

Thank you,

The TEAS support team

Tue Jun 10 18:45:46 EDT 2014

STAMP: USPTO/BAS-71.59.35.14-20140610184546007568-86305882-

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